

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated April 18, 2007. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-29 are pending in this application. Claims 1, 6, 13-15, 17, 19, and 23 are independent claims. Applicants have elected to amend the claims to more clearly state the invention and to cure informalities noted upon review of the claims. It is respectfully submitted that no new matter is added by these amendments. Accordingly, Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted and/or amended herein at a later time during the prosecution of this application or continuing applications.

In the Office Action, Claims 1-29 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Publication No. 2003/0131355 to Berenson ("Berenson").

These rejections are respectfully traversed.

The Office Action takes the position on page 3, third paragraph, lines 6-8, that Berenson shows "rows sorted in accordance with specific source" in page 6, paragraph [0065], lines 3-7. Page 17, second paragraph of the Office Action takes the position that "grouping the rows by genre (as shown by Figure 9: DRAMA, COMEDY, AND ACTION) corresponds the step of sorting rows in accordance with source as claimed." However, it is respectfully submitted that reliance on these parts of Berenson for this element is misplaced. It is respectfully submitted that sorting by genre does not correspond to "using sources of the programs to sort amongst rows of the table in accordance with the sources" as required by Claim 1 and as substantially required by each of Claims 6, 13-15, 17, 19, and 23.

For example, while Berenson shows two different HBO programs as being in the DRAMA genre, an HBO presentation may just as well fall into a COMEDY genre or an ACTION genre. In this case, the source of the programs, namely HBO, may fall into multiple genres/rows in the table of Berenson. Accordingly, it is respectfully submitted that sorting by a genre does not correspond to "using sources of the programs to sort amongst rows of the table

in accordance with the sources" as required by Claim 1 and as substantially required by each of Claims 6, 13-15, 17, 19, and 23.

The Office Action further takes the position that page 3, [0040], lines 7-9 of Berenson shows presenting the selected data in accordance with the additional code (see, Office Action, page 3, paragraph 3, lines 10-11). What [0040] of Berenson does show is (emphasis added) "[t]he programming guide server ('PGS') (4) uses the information in the central preferences database to filter the program listings information ('PLI') before formatting it for presentation to the user." In other words, preferences are used to filter out program listing that don't correspond to the preferences database (or include program listings that do correspond to the preferences database). However, as made clear from Berenson, this operation is performed before formatting of the presentation for the user. On page 17, numbered paragraph 2 of the Office Action, the position is taken that "(determining a code for each program and that the presentation is further based on the determined code) are not recited in the rejected claims(s)."

What claim 1 does recite is (emphasis added) "a coding unit for selecting data about all programs starting within at least one

first time interval and coding the selected data with an additional code based on the at least one time interval, and a control unit ... is arranged for formatting the selected data in accordance with the additional code" which is also substantially required by each of Claims 6, 13-15, 17, 19, and 23.

Accordingly, it is respectfully submitted that Claims 1, 6, 13-15, 17, 19, and 23 are not anticipated or made obvious by the teachings of Berenson and notice to this effect is earnestly solicited. Claims 3-5, 7-12, 16, 18, 21, 22, and 24-29 respectively depend from one of Claims 1, 6, 15, 17, 19 and 23 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims. For example, Berenson does not disclose or suggest "wherein the table generator unit is arranged to present the data using a visual identification based on the time interval" as recited in Claim 3; nor "wherein the visual identification is a color that distinguishes between different time intervals" as recited in Claim 4. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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